

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF WASHINGTON

3
4 JOHN BURTON,
5 Plaintiff,

6 vs.

7 CRYSTAL BENSON, et al.,
8 Defendants.

NO. CV-06-0273-JLQ

**ORDER GRANTING MOTION TO
EXPEDITE; DENYING
STIPULATED MOTION FOR
PROTECTIVE ORDER**

9
10 BEFORE THE COURT are Defendants State of Washington, Holmes', and
11 Cooper's (herein "Defendants") Motion to Expedite (Ct. Rec. 141) and Defendants' and
12 Plaintiff's Joint Motion for a Protective Order (Ct. Rec. 139). The hereby **GRANTS** the
13 motion to expedite hearing of this matter.

14 The Defendants herein and Plaintiff have submitted a stipulation agreeing to the
15 entry of a blanket protective order governing the confidentiality of documents and
16 information produced in discovery. While the parties may agree among themselves to
17 keep these matters confidential, the Court is constrained to enter a confidentiality order
18 only when the parties allege specific facts which meet the "good cause" requirements of
19 Fed.R.Civ.P. 26(c) and the ongoing policy of the judges of this District. Blanket
20 protective orders are by their nature overinclusive and even though stipulated, may not be
21 entered under Rule 26(c). *See Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122,
22 1131 (9th Cir.2003) (holding that the district court abused its discretion under Rule 26(c)
23 by entering a blanket protective without requiring the party seeking protection "to show
24 that specific discovery documents, whether eventually filed with the court or not,
25 contained [confidential] information") (emphasis in original); *San Jose Mercury News,*
26 *Inc. v. U.S. Dist. Ct.*, 187 F.3d 1096, 1103 (9th Cir. 1999) (holding that blanket stipulated
27 protective orders entered under Rule 26(c) "are inherently subject to challenge and
28 modification, as the party resisting disclosure generally has not made a particularized

showing of good cause with respect to any individual document”).

1 Accordingly, IT IS HEREBY ORDERED the parties Joint Motion for Protective
2 Order (Ct. Rec. 139) is **DENIED**.

3 **IT IS SO ORDERED.** The Clerk of this court shall enter this Order and forward
4 copies to all parties.

5 **DATED** this 5th day of March 2008.

6 s/ Justin L. Quackenbush

7 JUSTIN L. QUACKENBUSH

8 SENIOR UNITED STATES DISTRICT JUDGE
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